

US application number 10 553 593

## RESPONSE TO NOTICE OF NONCOMPLIANT AMENDMENT

This paper responds to the Notice of Noncompliant amendment dated November 10, 2008.

### **Claims 32-53.**

The Notice states that "Claims 32-53 were not originally filed on October 18, 2005." The Notice apparently refers to the claim amendment of September 25, 2008 which USPTO refused to enter.

Upon review, the undersigned finds that claims 32-53 were filed September 25, 2008 in error, being claims from the wrong patent application.

The correct claims were filed November 20, 2008. These claims are intended to be identical to the claims originally filed. There are thirty-one claims total, of which twenty-four are independent.

### **Additional claim fees due.**

The Notice suggests that additional claim fees are due. As the amendment of September 25, 2008 (with a highest numbered claim of 53) was not entered, then no fees need to be paid for those claims.

As may be seen, on October 26, 2008, \$275 was paid (fee code 2615) for eleven total claims beyond twenty. Thus, thirty-one total claims have been paid for.

As may be seen, on October 26, 2008, \$2100 was paid (fee code 2614) for twenty-one independent claims beyond three. Thus, twenty-four independent claims have been paid for.

Thus no additional claim fees are due.

### **Remarks.**

The Notice suggests that it is required that the applicant provide "a separate sheet labeled REMARKS." As was explained in a paper filed November 20, 2008, this is in error. 37 CFR section 1.121 imposes no such requirement upon the applicant.

### **Extensions of time.**

Everything required for a full response to the Office Action dated September 22, 2008, was filed by no later than November 20, 2008. Thus, no extension of time is due.

It is requested that USPTO mail the Notice of Allowance.

/s/

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